

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

DAVID WHITSETT,

NO. 2:17-cv-01236-RSM

Plaintiff,

**STIPULATED MOTION AND
ORDER REVISING CASE CAPTION,
DISMISSING CERTAIN DEFENSES,
AND DISMISSING UNRELATED
DEFENDANTS**

BRAND ENERGY SOLUTIONS LLC; et al.,

Defendants.

STIPULATED MOTION

Pursuant to LCR 7(d)(1) and LCR 10(g), the parties hereby stipulate and move the Court as follows:

1. Defendant Brand Energy Solutions LLC recently changed its name to BrandSafway LLC (see documentation attached as **Exhibit A** hereto). The parties stipulate and agree that the case caption should be amended to reflect the name change of defendant Brand Energy Solutions LLC to **BrandSafway LLC**.

2. Defendant BrandSafway LLC admits that it provided the scaffolding involved in the occurrence alleged in plaintiff's Complaint, and it waives any affirmative defense that any other persons/entities bear fault in this matter, with the exception of the Plaintiff. Defendant BrandSafway LLC specifically agrees to withdraw affirmative defense numbers 5 and 6 (see Dkt. #4).

1 3. The parties stipulate and agree that there is no evidence that any of the other
2 defendants named in plaintiff's complaint have any involvement in the occurrence alleged in
3 plaintiff's Complaint. Accordingly, the parties stipulate to dismiss all other named defendants
4 with prejudice and without costs or attorney's fees, leaving BrandSafway LLC as the sole
5 remaining defendant.

6 It is so stipulated through counsel of record.
7

8 DATED this 13th day of July, 2018
9

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ORDER

Based upon the stipulation of the parties above, IT IS HEREBY ORDERED that:

1. The case caption shall be revised to reflect the name change of defendant Brand Energy Solutions LLC to BrandSafway LLC.
 2. All claims against the remaining named Defendants in this matter, with the exception of BrandSafway LLC, are hereby dismissed with prejudice and without the award of attorney's fees or costs.
 3. Defendant BrandSafway LLC's affirmative defenses numbers 5 and 6 (as set forth in Dkt. #4) are dismissed with prejudice.

DATED this 16th day of July, 2018.

Ricardo S. Martinez
RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE